

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- v. -

GIBRON LOPEZ,
a/k/a "Gibbs,"
a/k/a "G,"
LUIS GUERRERO,
a/k/a "Weegi,"
JOSE RODRIGUEZ,
"D.R.," and
JOSE ORTIZ,
a/k/a "Chico,"

Defendants.

- - - - - x

: INDICTMENT

: 15 Cr. CRIM 002

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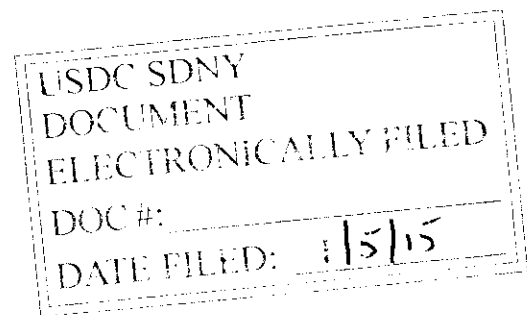
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COUNT ONE

The Grand Jury charges:

1. From at least in or November 2014, up to and including on or about December 18, 2014, in the Southern District of New York and elsewhere, GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, and others known and unknown, unlawfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of

Judge McMahon

articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, LOPEZ, GUERRERO, RODRIGUEZ, and ORTIZ, and others known and unknown, agreed together to commit an armed robbery of persons suspected of possessing narcotics in the Bronx, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO

The Grand Jury further charges:

2. On or about December 18, 2014, in the Southern District of New York, GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

COUNT THREE

The Grand Jury further charges:

3. From at least in or about November 2014, up to and including on or about December 18, 2014, in the Southern District of New York and elsewhere, GIBRON LOPEZ, a/k/a "Gibbs,"

a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

4. It was a part and an object of the conspiracy that GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

5. The controlled substance that GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, conspired to distribute and possess with the intent to distribute was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATIONS

6. As a result of committing the robbery offense alleged in Count One of this Indictment, GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE

RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense alleged in Count One of this Indictment.

7. As a result of committing the controlled substance offense charged in Count Three of this Indictment, GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count Three of this Indictment.

Substitute Asset Provision

8. If any of the above described forfeitable property, as a result of any act or omission of GIBRON LOPEZ, a/k/a "Gibbs," a/k/a "G," LUIS GUERRERO, a/k/a "Weegi," JOSE RODRIGUEZ, a/k/a "D.R.," and JOSE ORTIZ, a/k/a "Chico," the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

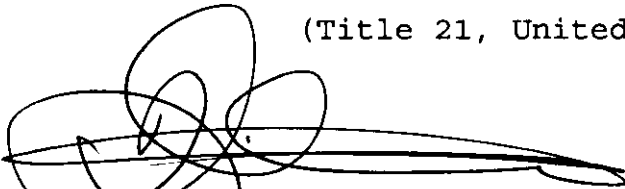
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

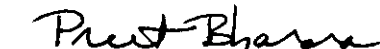
e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON



PREET BHARARA
United States Attorney

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INDICTMENT

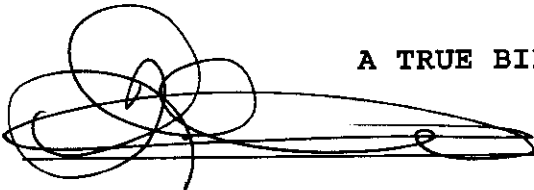
15 Cr.

(18 U.S.C. 1951, 924(c)(1)(A), and 2;
21 U.S.C. § 846.)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

1/3/15 FILED INDICTMENT. CASE ASSIGNED TO J. MEHAHER
COTJ, USMJ